

UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD  
REGION 28

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STARBUCKS CORPORATION

and

Case 28-CA-289622

WORKERS UNITED a/w SERVICE  
EMPLOYEES INTERNATIONAL UNION

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**ANSWER AND AFFIRMATIVE DEFENSES**

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Pursuant to Section § 102.20 of the Board's Rules and Regulations, STARBUCKS CORPORATION ("Starbucks" or "Respondent"), by and through its attorneys, Littler Mendelson, P.C., hereby answers as follows:

1. Starbucks admits that it received copies of the Charge, First Amended Charge, and Second Amended Charge in this matter but lacks requisite knowledge to admit or deny the remaining allegations in Paragraph 1(a) – (c).
2. Starbucks admits that it operates coffee shops throughout the United States, including in Phoenix, Arizona. Starbucks further admits the allegations in 2(b) – (d). Starbucks denies the remaining allegations in Paragraph 2.
3. Starbucks lacks requisite knowledge to admit or deny the allegations in Paragraph 3.
4. Starbucks admits that during all material times, (b) (6), (b) (7)(C) is a (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) is a (b) (6), (b) (7)(C) Starbucks denies the remaining allegations in Paragraph 4.
5. Starbucks admits that (b) (6), (b) (7)(C) is a (b) (6), (b) (7)(C) at the coffee shop located at 7000 E. Mayo Road, Phoenix, Arizona ("Scottsdale and Mayo" store). Starbucks admits that it maintains

the rule stated in Paragraph 5(b). Starbucks further admits that it issued a corrective action to (b) (6), (b) (7)(C) on or about (b) (6), (b) (7)(C), 2022. Starbucks denies the remaining allegations in Paragraph 5(a) – (i).

6. Starbucks admits that (b) (6), (b) (7)(C) is a (b) (6), (b) (7)(C) at the Scottsdale and Mayo store and denies the remaining allegations in Paragraph 6.
7. Starbucks admits that during all relevant times, (b) (6), (b) (7)(C) was a (b) (6), (b) (7)(C) at the Scottsdale and Mayo store and denies the remaining allegations in Paragraph 7.
8. Starbucks denies the allegations in Paragraph 8.
9. Starbucks denies the allegations in Paragraph 9.

#### **AFFIRMATIVE DEFENSES**

1. The allegations are contrary to and precluded by Section 8(c) of the Act.
2. The allegations are contrary to and precluded by Section 10(c) of the Act.
3. No allegation establishes or amounts to an interference with, restraint, or coercion of any employees in the exercise of rights guaranteed in Section 7 of the Act.
4. Starbucks would have taken the same action in the absence of any alleged protected activity.
5. The allegations in the Complaint fail to state a claim upon which relief can be granted.
6. The allegations in the Complaint are impermissibly vague.
7. The conduct alleged in the Complaint had a de minimis impact, if any, on rights guaranteed within Section 7 of the Act.
8. The allegations and requested remedy are contrary to and precluded by the First Amendment.

WHEREFORE, Respondent moves for dismissal of the Complaint in its entirety, and requests any other appropriate relief.

Dated this 29th day of March 2022.

LITTLER MENDELSON, P.C.

/s/ Adam-Paul Tuzzo

Adam-Paul Tuzzo

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